

PROCEEDINGS OF THE LAFAYETTE PUBLIC UTILITIES AUTHORITY OF THE CITY-PARISH OF LAFAYETTE, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING OF FEBRUARY 3, 2004.

ATTENDANCE

COUNCIL: Rob Stevenson (Chair), Marc Mouton (Vice Chair), Christopher J. Williams, Ph.D., Bruce Conque

ABSENT: Louis C. Benjamin, Jr.

COUNCIL STAFF: Norma Dugas (Clerk), Monica Fontenot (Administrative Assistant)

ADMINISTRATIVE STAFF: Dee Stanley (CAO), Pat Ottinger (City-Parish Attorney)

COMMENCEMENT

(TAPE 1)(SIDE A)(001)AGENDA ITEM NO. 1: Call to order.

Chair Rob Stevenson called the Lafayette Public Utilities Authority Meeting of February 3, 2004 to order.

EXECUTIVE/PRESIDENT’S REPORT

(TAPE 1)(SIDE A)(005)AGENDA ITEM NO. 2: President’s Report.
None was given.

(TAPE 1)(SIDE A)(008)AGENDA ITEM NO. 3: LUS Director’s Report.
None was given.

RESOLUTIONS

(TAPE 1)(SIDE A)(013)AGENDA ITEM NO. 4: R-004-2004(LPUA) A resolution of the Lafayette Public Utilities Authority declaring the intention to issue in the name of the City of Lafayette, State of Louisiana (the “City”), utilities revenue bonds, in an amount not to exceed two hundred million dollars (\$200,000,000) for the purpose of acquiring and constructing extensions and improvements to the utilities system of the City, including the necessary equipment and furnishings therefor funding a reserve for the payment of the bonds, and paying the costs of issuance thereof; generally describing said bonds and the security therefor; authorizing the newspaper publication of a notice of such intention setting forth a date and time when said governing authority will meet in open and public session to hear any objections to the proposed issuance of such bonds; providing for the filing of a petition by a certain percentage of the electors of the City objecting to the issuance of the proposed bonds unless an election is held on the question of the issuance thereof; applying to the State Bond Commission for the approval of the contents of the proposed notice of intention and for the issuance of the bonds; and providing for other matters in connection therewith. A motion to approve by Mouton, seconded by Conque, and the vote was as follows:

YEAS: Williams, Conque, Mouton, Stevenson

NAYS: None

ABSENT: Benjamin

RECUSED: None

Motion was approved.

Andrew Duhon explained this resolution declares the intent to issue the bonds that will be necessary for the new generating units along with other LUS planned capital projects. It also provides for publication of a public notice regarding the intent as well as provides for the State Bond Commission’s approval of the contents of the public notice. Williams requested the following information:

- Detailed report on what technologies will be used as part of the new generation
- What the differences are between the two technologies
 1. Standard
 2. New method on market

- Would like a better appreciation for:
 1. What will be utilized from a mechanical standpoint in terms of additional generation on the property to be acquired around North Park and South Park
- Why the need for two different types of technology?
- R.W. Beck signed off on the initiative. What were their findings?
- Update on the Administration's position in addition to what was presented to the LPUA as it relates to justification particularly from those already providing this service and/or citizens of the City of Lafayette who are opposed to the plan and what was the Department/Administration's response to the citizens regarding same.

Duhon stated he would provide Williams with the information he requested; however, he added the generating units project is approximately \$131 million but there are additional electric requirements in the 5-year capital plan. There is also a significant amount of wastewater capital needs.

ORDINANCES FOR FINAL ADOPTION

(TAPE 1)(SIDE A)(115)AGENDA ITEM NO. 5: O-001-2004(LPUA) An ordinance of the Lafayette Public Utilities Authority providing for the abandonment of portions of the public alley in Block 2 of McComb Addition. A motion to approve as amended by Mouton, seconded by Conque, and the vote was as follows:

YEAS: Williams, Conque, Mouton, Stevenson

NAYS: None

ABSENT: Benjamin

RECUSED: None

Motion was approved as amended.

Williams expressed his concerns regarding total pedestrian traffic blockage. However, he did state he supported the use of the building in question and agreed it would be a benefit to the downtown area of Lafayette. Eleanor Bouy explained the Planning, Zoning & Codes Department received a request to abandon the two subject alleys. One is located directly behind the Washington Life Building and the other is traversing an existing parking lot. The proposed use of the building will be for the U.S. Bankruptcy Court.

The following persons were recognized:

Donald Broussard brought to Ms. Bouy's attention that the requested abandonment is incorrect. The requested abandonment is for Block 2, which is the alley located behind the Washington Life Building.

Williams offered the following amendment which was accepted by second:

1. Delete all references to **"and Block 3"**

Mr. Broussard continued his comments by saying that the U.S. Bankruptcy Court has chosen the Washington Life Building to relocate its offices from St. Landry Parish, which would be a positive economic benefit not only to the City of Lafayette but also to the revitalization of the downtown area. The judge that will be located in the building is concerned with security issues. The proposal provides for a courtyard directly behind the building in the alley space. Additionally, it will require there be gated card pass security for the judge and the employees, including the U.S. Marshal Service and the U.S. Trustee Office. He confirmed the project would be aesthetically pleasing as well as provide security for the employees. Pedestrians will still have access to walk through either the Jefferson Street corridor or the Third Street corridor to get to Vine Street.

Upon questioning by Mouton, Broussard responded that based upon the solicitation for offer, he is required to provide 25 dedicated spaces to the government, all of which are located directly behind the building. The lease contract is for 15 years. Williams requested that language be included that if the U. S. Bankruptcy Court should decide to relocate, the property would revert back and return to a public alley. Conque commented that there was no form of compensation involved with the abandonment. Broussard confirmed that with the abandonment, LCG is giving the property to Jefferson Street Partner; however, LCG releases its responsibilities for maintenance of the property. The main concern is security for the federal judge that will be housed in the building. His offices will be located on the backside of the building on the 1st floor.

The backside of this building consists of all windows. While trying to determine a means of security, the parking lot will be fenced off with a card access only entrance/exit and then a thick courtyard wall with a special height requirement to prevent any type of attack toward the building or the judge.

Williams then offered the following amendments which was accepted by second: At the end of Section 2 add the following language: **The right of public alley herein abandoned shall be reestablished at such time as the property adjacent thereto is no longer used as a U.S. Bankruptcy Court. Lafayette City-Parish Consolidated Government shall be absolved of liability during the period of the abandonment.**

Greg Walls, owner of the old upholstery shop on the corner of Jefferson and Cypress Streets stated his concern were the pedestrian traffic traveling through the back alley behind his building. He continues to have a problem with litter and public urination.

INTRODUCTORY ORDINANCES

(TAPE 1)(SIDE A)(695)AGENDA ITEM NO. 6: AGENDA ITEM NOS. 6-8: A motion was offered by Mouton, seconded by Conque, to approve for introduction the following ordinances, in-globo, and the vote was as follows:

YEAS: Williams, Conque, Mouton, Stevenson

NAYS: None

ABSENT: Benjamin

RECUSED: None

Motion was approved.

6. O-004-2004(LPUA) An ordinance of the Lafayette Public Utilities Authority authorizing the expropriation of assets and customers of Entergy in areas annexed or to be annexed by the City of Lafayette.
7. O-005-2004(LPUA) An ordinance of the Lafayette Public Utilities Authority authorizing the expropriation of the below referenced and described electrical distribution system, assets and/or facilities, and customers of Entergy.
8. O-006-2004(LPUA) An ordinance of the Lafayette Public Utilities Authority providing for the abandonment of a portion of a utility easement on Lots 2, 3, 4 and 5 of Garden Heights Subdivision, having a municipal address of 836 Chemin Metairie.

COMMENTS FROM THE PUBLIC

(TAPE 1)(SIDE A)(710)AGENDA ITEM NO. 9: Comments from the public concerning the above Introductory Ordinances.

No speakers.

(TAPE 1)(SIDE A)(715)AGENDA ITEM NO. 10: Comments from the public on other matters.

No speakers.

ADJOURN

There being no further business to come before the LPUA, Chair Stevenson declared the Regular LPUA meeting adjourned.

Norma A. Dugas
Clerk of the Council